

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Doak et al.
Serial No.: 09/516,257
Filed: February 29, 2000
Group Art Unit: 2877
For: Multi-Grade Object Sorting System And Method
Attorney's Docket No. N4699
Customer No. 23456

To the Honorable Commissioner of
Patents and Trademarks
Washington, DC 20231

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TECHNOLOGY CENTER 2800

DECLARATION OF GARRY R. KENNY
RE COMMON OWNERSHIP

I am one of the named inventors on the above-referenced application, and I am an officer of Advanced Sorting Technologies LLC and of MSS, Inc. (formerly known as Magnetic Separation Systems, Inc.).

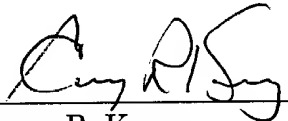
This declaration is being submitted in order to show that the present application and U.S. Patent No. 6,369,882 were, at the time the invention of the present application was made, under an obligation of assignment to Advanced Sorting Technologies LLC.

Advanced Sorting Technologies LLC is a limited liability company which has two members, the first being Weyerhaeuser Company and the second being MSS, Inc. (formerly known as Magnetic Separation Systems, Inc.).

U.S. Patent No. 6,369,882 is the joint invention of employees of both Weyerhaeuser Company and MSS, Inc.

At the time the invention of the present application was made, both the present application and the application which resulted in U.S. Patent No. 6,369,882 were subject to an obligation of assignment to a limited liability company which Weyerhaeuser Company and MSS, Inc. intended to form. That obligation was the subject of a written agreement between Weyerhaeuser Company and MSS, Inc. Subsequent to the formation of the limited liability company, which is now known as Advanced Sorting Technologies LLC, both applications were in fact assigned to Advanced Sorting Technologies LLC.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Garry R. Kenny

2/10/2003
Date